

### **In the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application. All claims are as originally presented except claims 1 and 24 which are currently amended.

#### **Listing of Claims:**

Claim 1 (currently amended) Flashing earring jewelry comprising:

A) an infrared emitter positioned and adapted to emit infrared light into ~~tissue~~ the earlobe of a wearer,

B) an infrared detector positioned and adapted to detect infrared light emanating from said earlobe ~~tissue~~,

C) a power source for said emitter and said detector,

D) an electrical circuit for analyzing electrical signals from said detector to detect each beat of a wearer's heart,

E) at least three ~~two~~ visible light emitters, each emitter adapted to emit a different color defining a first color, a second color and a third color,

F) a first trigger circuit for initiating electrical pulses to cause ~~one~~ the first of said visible light emitters to flash once for each heart beat,

G) a pulse rate calculation means for calculating the wearer's pulse rate, and

H) a second trigger circuit for initiating pulses to cause a the second of said visible light emitters to flash once for each heart beat when said pulse rate exceeds a first predetermined rate, and

I) a third trigger circuit for initiating pulses to cause a the third of said at least two visible light emitters to flash once for each heart beat when said pulse rate exceeds a second predetermined rate.

Claim 2. (cancelled)

Claim 3 (currently amended) Jewelry as in claim 2 1 wherein said at least three ~~two~~ visible light emitters are three visible light emitters emitting respectively red, green and blue light.

Claims 4-8 (cancelled)

Claim 9 (cancelled)

Claim 10 (currently amended) Jewelry as in claim 9 3 wherein said red emitter is programmed to flash with each heart beat, said green emitter is programmed to flash with each heart beat when the heart rate of the wearer is in excess of a first threshold in excess of the wearer's rest heart rate and said blue emitter is programmed to flash with each heart beat when the heart rate of said wearer is in excess of a second threshold in excess of said first threshold.

Claim11 (originally presented) Jewelry as in claim 10 wherein said first threshold is at least 115% of the wearer's resting heart rate and said second threshold is at least 130% of wearer's resting heart rate.

Claim12 (previously presented) Jewelry as in claim 1 wherein said electric circuit comprises an ASIC circuit.

Claim13 (originally presented) Jewelry as in claim 1 wherein said electric circuit comprises surface mounted circuit.

Claim14 (originally presented) Jewelry as in claim 3 and further comprising a transmitter for transmitting a signal to an audio device to initiate a sound when one of said thresholds are exceeded and further comprising an audio device to receive said signal and produce a sound in response.

Claim15 (originally presented) Jewelry as in claim 14 wherein said sound is church bells.

Claim16 (currently amended) Jewelry as in claim 1 wherein said power source is a battery unit adapted to be positioned on the inside of an earlobe and adapted to be connected through an earlobe to a circuit board comprising said infrared emitter, said infrared detector and said at least two three visible light sources

**Amendments to the Drawings:**

The attached drawing sheets have been corrected as suggested by the Examiner.